

CHAPTER 1101

VETERANS SERVICES FOR INMATES OF JAILS OR MUNICIPAL HOLDING FACILITIES

H.F. 2321

AN ACT relating to providing veteran services to inmates incarcerated in a jail or municipal holding facility.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. **356.6A Duty to inform about veteran services.**

1. The personnel of a jail or municipal holding facility shall inquire whether the prisoner is a veteran, and if so, shall inform the prisoner, within twenty-four hours of incarceration, that the prisoner may be entitled to a visit from a veteran service officer to determine if veteran services are required or available. Within seventy-two hours of determining a prisoner is a veteran, the personnel of a jail or municipal holding facility shall provide the prisoner with the contact information for the county commission of veteran affairs of the county where the jail or facility is located, and the prisoner shall be allowed to contact the county commission of veteran affairs to request a visit from a veteran service officer.

2. As used in this section, “veteran” means a person who was a member of the regular component of the armed forces of the United States, national guard, or reserves.

Approved March 23, 2010

CHAPTER 1102

TAX ADVICE FOR DEPLOYING MILITARY SERVICES MEMBERS

H.F. 2384

AN ACT requiring the Iowa department of veterans affairs to advise deploying service members regarding certain issues related to taxation.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 35A.5, Code Supplement 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 15A. In coordination with the military division of the department of public defense, advise service members prior to, and after returning from, deployment on active duty service outside the United States of issues related to the filing of tax returns and the payment of taxes due and encourage a service member who has not filed a return or who owes taxes to contact the department of revenue prior to deployment.

Approved March 23, 2010

CHAPTER 1103

EMERGENCY HOSPITALIZATION OF MENTALLY ILL PERSONS — NOTICE OF ARREST WARRANTS OR PENDING CRIMINAL CHARGES — DISCHARGE PROCEDURES

S.F. 2352

AN ACT relating to the emergency hospitalization of a person with a serious mental impairment, and providing penalties.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 229.22, subsections 2 and 3, Code Supplement 2009, are amended to read as follows:

2. a. In the circumstances described in subsection 1, any peace officer who has reasonable grounds to believe that a person is mentally ill, and because of that illness is likely to physically injure the person's self or others if not immediately detained, may without a warrant take or cause that person to be taken to the nearest available facility or hospital as defined in section 229.11, subsection 1, paragraphs "b" and "c". A person believed mentally ill, and likely to injure the person's self or others if not immediately detained, may be delivered to a facility or hospital by someone other than a peace officer. Upon delivery of the person believed mentally ill to the hospital, the examining physician may order treatment of that person, including chemotherapy, but only to the extent necessary to preserve the person's life or to appropriately control behavior by the person which is likely to result in physical injury to that person or others if allowed to continue. The peace officer who took the person into custody, or other party who brought the person to the facility or hospital, shall describe the circumstances of the matter to the examining physician. If the person is a peace officer, the peace officer may do so either in person or by written report. If the examining physician finds that there is reason to believe that the person is seriously mentally impaired, and because of that impairment is likely to physically injure the person's self or others if not immediately detained, the examining physician shall at once communicate with the nearest available magistrate as defined in section 801.4, subsection 10. The magistrate shall, based upon the circumstances described by the examining physician, give the examining physician oral instructions either directing that the person be released forthwith or authorizing the person's detention in an appropriate facility. A peace officer from the law enforcement agency that took the person into custody, if available, during the communication with the magistrate, may inform the magistrate that an arrest warrant has been issued for or charges are pending against the person and request that any oral or written order issued under this subsection require the facility or hospital to notify the law enforcement agency about the discharge of the person prior to discharge. The magistrate may also give oral instructions and order that the detained person be transported to an appropriate facility.

b. If the magistrate orders that the person be detained, the magistrate shall, by the close of business on the next working day, file a written order with the clerk in the county where it is anticipated that an application may be filed under section 229.6. The order may be filed by facsimile if necessary. A peace officer from the law enforcement agency that took the person into custody, if no request was made under paragraph "a", may inform the magistrate that an arrest warrant has been issued for or charges are pending against the person and request that any written order issued under this paragraph require the facility or hospital to notify the law enforcement agency about the discharge of the person prior to discharge. The order shall state the circumstances under which the person was taken into custody or otherwise brought to a facility or hospital, and the grounds supporting the finding of probable cause to believe that the person is seriously mentally impaired and likely to injure the person's self or others if not immediately detained. The order shall also include any law enforcement agency notification requirements if applicable. The order shall confirm the oral order authorizing the person's detention including any order given to transport the person to an appropriate facility. A peace officer from the law enforcement agency that took the person into custody may also request an order, separate from the written order, requiring the facility or hospital to notify the law enforcement agency about the discharge of the person prior to discharge. The clerk shall provide a copy of ~~that~~ the written order or any separate order to the chief medical officer